

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

OCT 20 2008

KEVIN J. MERRITT a/k/a EDWARD A.)
URBANSKI, JR.,)

Plaintiff,)

vs.)

RYAN STARK et al.,)

Defendants.)

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY W.H. DEPUTY

No. CIV-06-1427-W

ORDER

On September 24, 2008, United States Magistrate Judge Robert E. Bacharach issued a Report and Recommendation in this matter regarding the Joinder and Adoption of Defendant Oklahoma County's Motion for Summary Judgment filed by defendants Correctional Healthcare Management of Oklahoma, Inc. ("CHMO"), and W.R. Holcomb. The parties were advised of their right to object to the Report and Recommendation, but no objections were filed within the allotted time.

Upon review, the Court concurs with Magistrate Judge Bacharach's finding that if this Court adopts his Report and Recommendation [Doc. 291] issued on August 28, 2008, the request for joinder filed by CHMO and Holcomb would be rendered moot. Having now taken such action and adopted the Report and Recommendation on October 14, 2008, the Court

(1) further ADOPTS the Magistrate Judge's Report and Recommendation issued on September 24, 2008;

(2) deems MOOT the Joinder and Adoption of Defendant Oklahoma County's Motion for Summary Judgment [Doc. 286] filed by CHMO and Holcomb on July 30, 2008;

and

(3) DIRECTS plaintiff Kevin J. Merritt a/k/a Edward A. Urbanski, Jr., to submit within seven (7) days a memorandum outlining what claims and issues, if any, remain for resolution in this matter, identifying what defendants, if any, are subject to liability on such claims and setting forth a proposed course of action.

ENTERED this 20th day of October, 2008.

A handwritten signature in black ink, appearing to read "Lee R. West", written over a horizontal line.

LEE R. WEST
UNITED STATES DISTRICT JUDGE